

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JULIO ANDRADE, LEOBARDO RODRIGUEZ,	:	
and LUIS ALBERTO JUAREZ,	:	
	:	14-CV-8268 (JPO)
Plaintiffs,	:	
	:	
-v-	:	<u>ORDER ADOPTING</u>
	:	<u>REPORT AND</u>
168 FIRST AVE RESTAURANT LTD. (d/b/a	:	<u>RECOMMENDATION</u>
LANZA's), JOSE ALONSO, and	:	
ARISTIZABAL EDILSON,	:	
	:	
Defendants.	:	
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J. PAUL OETKEN, District Judge:

On October 1, 2015 Magistrate Judge Andrew J. Peck found the corporate defendant 168 First Avenue Restaurant Ltd. to be in default. (Dkt. No. 25.) On January 15, 2016, the Court found Defendants Jose Alonso and Aristizabal Edilson in default and directed counsel for Plaintiffs to file documentation in support of their claim for damages and motion for entry of default judgment. (Dkt. No. 35.) Plaintiffs filed such documentation and the Court issued an amended order of reference requesting that Judge Peck conduct a damages inquest. (Dkt. No. 36.)

Judge Peck conducted a thorough and careful inquest and issued a Report and Recommendation (the "Report") that this Court award damages as specified in the Report. (Dkt. No. 44.) The Court has reviewed the Report.

No party filed a timely objection to the Report; therefore the Court reviews it for clear error. *See* Fed. R. Civ. P. 72(b), Advisory Committee's Notes (1983) ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."); *see also Borcsok v. Early*, 299 F. App'x 76, 77

(2d Cir. 2008). Magistrate Judge Peck's well-reasoned Report presents no such errors and is therefore fully adopted by this Court.

Accordingly, damages are awarded as calculated in the Report.

The Clerk of Court is directed to close the motion at docket number 37.

SO ORDERED.

Dated: July 18, 2016  
New York, New York



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J. PAUL OETKEN  
United States District Judge